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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

BRENT ADLER,

Plaintiff,

v.

FERNANDO GONZALES, et al.,

Defendants.

Case No. 1:11-cv-01915-LJO-MJS

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DISMISSING
CERTAIN CLAIMS AND DEFENDANTS

(ECF No. 37)

Plaintiff Brent Adler (“Plaintiff”), a former California state prisoner, filed this civil rights action pursuant to 42 U.S.C. § 1983 on November 17, 2011. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On May 30, 2013, the Magistrate Judge filed a Findings and Recommendations, recommending dismissal of certain of Plaintiff’s claims and defendants. (ECF No. 37.) Plaintiff has not filed any objections.

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1 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(c) and Local Rule 304, this
2 Court has conducted a de novo review of this case. Having carefully reviewed the entire file, the
3 Court finds the Findings and Recommendations to be supported by the record and by proper
4 analysis.

5 Accordingly, IT IS HEREBY ORDERED that:

- 6 1. The Findings and Recommendations, filed May 30, 2013, are adopted in full;
- 7 2. This action for damages proceed on Plaintiff's First Amended Complaint against
8 Defendants Negrete, Zanchi, Carrasco, Holland, Holmstrom, Gonzalez,
9 Steadman, Bryant, Schuyler, Lundy, Stainer, Doe #1, Doe #2, Doe #4, Doe #5,
10 and Doe #6 for violating Plaintiff's rights under the First Amendment and against
11 Defendants Gonzales, Holland, Carrasco, Negrete, Steadman, Zanchi, Bryant,
12 Lundy, Schuyler, Holmstrom, Doe #1, Doe #2, Doe #4, Doe #5, and Doe #6 for
13 violating Plaintiff's rights under Religious Land Use and Institutionalized Persons
14 Act;
- 15 3. Plaintiff's Fourteenth Amendment equal protection claim against Defendants
16 Gonzalez, Holland, Carrasco, Negrete, Steadman, Zanchi, Bryant, Lundy,
17 Schuyler, Holmstrom, and Does #1-6, be dismissed with prejudice, for failure to
18 state a claim under § 1983;
- 19 4. Plaintiff's claim for declaratory relief be dismissed, with prejudice, for failure to
20 state a claim; and
- 21 5. Defendants Does #3, 7, 8, 9, and 10 be dismissed from this action based on
22 Plaintiff's failure to state any claims against them.

23 6.

24 IT IS SO ORDERED.

25 Dated: August 16, 2013

/s/ Lawrence J. O'Neill
UNITED STATES DISTRICT JUDGE

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